

**MINUTES**  
**BOARD OF COMMISSIONERS MEETING**  
**General Session**  
**December 11, 2009**  
**Boise, Idaho**

President Newal Squyres called the General Session of the teleconference business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:35 a.m. at the Law Center in Boise, Idaho. In addition to President Squyres, in attendance for the meeting were Commissioners Doug Mushlitz, James Meservy, Deborah Ferguson, and Reed Larsen, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Deputy Executive Director Terri Muse, and Executive Director Diane Minnich, who acted as the secretary.

**CONSENT AGENDA**

**MINUTES**

It was moved, seconded and passed to approve the minutes of the November 18, 2009 meeting as amended.

**GOVERNANCE AND REGULATORY SERVICES**

**MEETING WITH DISTRICT BAR PRESIDENTS** – The Commission was joined by the following District Bar Presidents: First District John Cafferty, Third District Sam Laugheed, Fourth District Jim Martin, Fifth District David Heida, and Sixth District Jim Spinner. The DBA representatives reviewed the resolution vote tally, indicating the following:

District		1st	2nd	3rd	4th	5th	6th	7th	OSA*	Totals	
<b>Members eligible to vote</b>		<b>425</b>	<b>205</b>	<b>223</b>	<b>1888</b>	<b>300</b>	<b>201</b>	<b>368</b>	<b>861</b>	<b>4471</b>	
<b>% of total membership</b>		<b>10%</b>	<b>5%</b>	<b>5%</b>	<b>42%</b>	<b>7%</b>	<b>4%</b>	<b>8%</b>	<b>19%</b>	<b>100%</b>	
<b>Members voting</b>		<b>88</b>	<b>46</b>	<b>59</b>	<b>327</b>	<b>58</b>	<b>72</b>	<b>74</b>	<b>43</b>	<b>767</b>	
<b>% of members voting</b>		<b>21%</b>	<b>22%</b>	<b>26%</b>	<b>17%</b>	<b>19%</b>	<b>36%</b>	<b>20%</b>	<b>5%</b>	<b>17%</b>	
<b>Number in attendance</b>		<b>47</b>	<b>16</b>	<b>36</b>	<b>89</b>	<b>23</b>	<b>46</b>	<b>50</b>	<b>0</b>	<b>307</b>	
<b>% in attendance</b>		<b>11%</b>	<b>8%</b>	<b>16%</b>	<b>5%</b>	<b>8%</b>	<b>23%</b>	<b>14%</b>	<b>0%</b>	<b>7%</b>	
<b>09-1</b>	<b>For</b>	82	37	51	288	55	70	72	37	<b>692</b>	93%
	<b>Against</b>	5	7	7	26	1	1	2	3	<b>52</b>	7%
<b>Total</b>		<b>87</b>	<b>44</b>	<b>58</b>	<b>314</b>	<b>56</b>	<b>71</b>	<b>74</b>	<b>40</b>	<b>744</b>	
<b>09-2</b>	<b>For</b>	79	40	51	287	56	63	71	36	<b>683</b>	92%
	<b>Against</b>	9	4	7	27	0	9	3	4	<b>63</b>	8%
<b>Total</b>		<b>88</b>	<b>44</b>	<b>58</b>	<b>314</b>	<b>56</b>	<b>72</b>	<b>74</b>	<b>40</b>	<b>746</b>	
<b>09-3</b>	<b>For</b>	49	28	34	199	40	57	55	25	<b>487</b>	64%
	<b>Against</b>	38	18	21	125	18	14	19	18	<b>271</b>	36%
<b>Total</b>		<b>87</b>	<b>46</b>	<b>55</b>	<b>324</b>	<b>58</b>	<b>71</b>	<b>74</b>	<b>43</b>	<b>758</b>	
<b>09-4</b>	<b>For</b>	70	37	45	266	52	67	64	31	<b>632</b>	86%
	<b>Against</b>	18	6	12	44	4	3	10	8	<b>105</b>	14%
<b>Total</b>		<b>88</b>	<b>43</b>	<b>57</b>	<b>310</b>	<b>56</b>	<b>70</b>	<b>74</b>	<b>39</b>	<b>737</b>	

It was moved, seconded and passed to confirm the votes on the resolutions as presented.

## **TRANSFER FROM INACTIVE TO ACTIVE STATUS**

**Palmer Hoovestall** – The Commission considered a request from Palmer Hoovestall to transfer from inactive to active status. Mr. Hoovestall received a public censure in Montana. The Commission discussed whether to seek reciprocal discipline before or after reinstatement to active practice. It was moved, seconded and passed to initiate reciprocal discipline proceedings prior to approving his request for reinstatement.

## **UI COLLEGE OF LAW REPORT**

The Commission discussed the draft letter to the Dean regarding the 2009 visit to the UI College of Law. The Commission asked that the letter include language indicating that the bar would provide a recommended agenda or recommended schedule, and language complimenting the pro bono efforts of the Law School and faculty. The Executive Director will redraft the letter and send it to President Squyres for final review.

## **LEGAL SERVICES STATE FUNDING**

The Commission discussed the issue of state funding for legal aid services, specifically an increase in filing fees to provide additional funding for Legal Aid. The Commission reviewed and discussed a memo and accompanying information from Idaho Legal Aid Services Deputy Director James Cook. The information included a chart indicating that all but two states currently receive some form of state funding for legal aid services. The Commission also reviewed information about the Judiciary's budget cutbacks in the Courts and information on how filing fees are designated. The Commission discussed whether to support a filing fee increase to be designated for legal aid services. The Commission agreed to add the filing fee increase for Idaho Legal Aid Services to the agenda for the January meeting with the Idaho Supreme Court.

## **MEETING WITH IDAHO SUPREME COURT**

The Executive Director reported that the Court has requested that the meeting be rescheduled for Thursday, January 14<sup>th</sup>. The agenda issues for the meeting include legal services funding, the uniform bar exam, and the 2009 resolutions.

## **ADMINISTRATION AND SUPPORT**

### **NOVEMBER FINANCIAL REPORTS**

The Commission was provided with the November 30<sup>th</sup> financial report. As of November 30, 2009, 99.38% of income was collected and 90.09% of expenses incurred.

## **MEMBER SERVICES**

**Practice Section Update-** The Commission reviewed the section update.

**Professional Conduct Board** – Bar Counsel requested that the Board provide additional names for members to serve on the Professional Conduct Board. It was moved, seconded and passed to appoint Kelly Cameron to the PCB. In addition, lawyers are needed in districts 1,2,6,7 and lay persons in districts 1,2,4,6,7.

**EXECUTIVE SESSION**

After an aye vote was recorded from each Commissioner, the Commission moved into Executive Session at 9:25 a.m. The Executive Session concluded at 9:35 a.m.

There being no further business, the General Session adjourned at 9:40 a.m.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Diane K Minnich". The signature is written in a cursive, flowing style.

Diane K. Minnich  
Executive Director